

Home Kitchen used for Retail Food Sales

Licensing Guide

The Kansas Department of Agriculture is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture business to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas home kitchen used for retail food sales, sometimes called cottage food sales. In addition to license requirements by the Kansas Department of Agriculture, other Kansas agencies as well as local or federal government agencies may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful home kitchen used for retail food sales in Kansas.

✓	Department	Description	Renewal
	Kansas Small Business Development Center (KSBDCC)*	The KSBDCC is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information.	Prior to starting
	Kansas Business Center*	The Kansas Business Center is a resource for information, filings, and personal assistance to start or maintain a Kansas business. Call 877-521-8600 for more details.	Prior to starting
	Office of the Secretary of State	Complete the appropriate business entity filings and forms required by the Kansas Secretary of State. Call 785-296-4564 for more information.	Prior to starting
	Department of Revenue	Visit the Department of Revenue website to find important business tax information . Call 785-368-8222 for more information.	Prior to starting
	Department of Agriculture, Food Safety	No license is required to make and sell certain types of lower risk foods. To make higher risk foods for sale directly to the consumer or to wholesale for further distribution, complete a Food Establishment License or Food Processing or Storage License . Review the Food Sales at Farmer's Markets webpage for additional information. To learn more about starting a food business , contact Food Safety and Lodging at 785-564-6767 or FSL@kda.ks.gov .	Prior to April 1
	Department of Agriculture, Weights and Measures	No license is needed from Weights and Measures, but a home kitchen used for retail food sales with scales must hire a licensed service company to test the scales once annually if the scales are utilized for any commercial transaction. Visit the Weights & Measures website for more information, or call 785-564-6681.	Annual service
	U.S. Food and Drug Administration (FDA)	If food from a home kitchen from retail is being sold across state lines, it is required to register the facility with the FDA. Login and create an account to register a food facility .	Bi-Annual
	Department of Agriculture, Agricultural Marketing, Advocacy and Outreach*	<i>From the Land of Kansas</i> is a voluntary trademark program that helps promote and identify Kansas agricultural products to consumers. Register the business for membership with <i>From the Land of Kansas</i> . For more information, visit From the Land of Kansas online, or call 785-564-6759.	Annual Renewal
	K-State Research and Extension*	More information about food safety for foods produced under the direct-to-consumer exemption is available at from the K-State Research & Extension Bookstore .	

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This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.

** Indicates that the information listed is merely a useful resource and not a requirement for operating the business*

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